

REMARKS/ARGUMENTS

The claim amendments presented above do not make any amendments or additions to the pending set of claims. It is believed, however, that a one-month extension of time is required. Consequently, a Petition for an extension of time accompanies this filing. If it is determined that any additional fees are due in this application, the Commissioner is hereby authorized to charge Deposit Account No. 18-1722 in the amount of such fees.

In response to the restriction requirement presented in sections 1 and 2 of the Office Action, the Applicant has elected claims 13-25 without traverse.

Section 3 of the Office Action rejects claims 13-25 under 35 U.S.C. 112, first paragraph. The rejection is based on the view that the "recursive" term of claims 13, 15, 20 and 21 is not disclosed in the specification. Regarding the section 112 rejection, Applicant believes that recursive integrator stages are sufficiently disclosed in the specification. For example, Figures 13, 14, and 20, and by extension Figures 7 and 9, show recursive integrator stages as individually shown by Figure 2.

Further, the description related to Figure 2 states that it depicts an integration stage "such as" those used in relation to Figure 1. Thus, it is not limited to describing the integrators of Figure 1, but it is also applicable to the other integrator stages described and shown throughout the specification. Further still, it is noted that Figure 14 references the content of Figure 13 which in turn references Figures 7 and 2. In addition, Figure 20 (and the text appearing on page 23 of the specification) also discloses the recursive aspect

of the invention and references Figure 14 (and in turn Figures 13, 7 and 2). It is therefore requested that the section 112 rejection be withdrawn.

Sections 4 through 7 of the Office Action reject claims 13 through 16 as being unpatentable under section 103(a). Applicant believes that claims 13-16 are patentable over the Rahman et al. reference. For example, the content of the wherein clause of claim 13 should be given patentable weight since the pre-decimated integrator filter section to which the claim is directed is further limited by the content of the wherein clause. Further, the rejection appears to be based on information that the Examiner considers to be common knowledge. Applicant traverses this finding and the use of common knowledge in this instance. It was not obvious at the time the invention was made to combine the content of the wherein clause with the other limitations of the claim and it also would not be common knowledge to do so. Asserting that the claimed combination is obvious based on common knowledge requires, in this instance, an inappropriate use of hindsight based on teachings provided only by the pending specification itself. The unsupported portion of the rejection is not directed to elements that are of notorious character serving only to fill in the gaps and it is also not capable of instant and unquestionable demonstration as being well known. Consequently, Applicant requests that documentary evidence, such as the citation of an appropriate prior art reference, be presented in support of the rejection or, in the alternative, that the rejection be withdrawn.

Applicant believes that the above remarks fully address the issues and rejections presented in the Office Action and establish that the pending claims are allowable over the stated rejections. Accordingly, a Notice of Allowance is respectfully requested.

Respectfully Submitted,

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